

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**TESSERA ADVANCED  
TECHNOLOGIES, INC.,**

**Plaintiff,**

**vs.**

**SAMSUNG ELECTRONICS CO., LTD.  
and SAMSUNG ELECTRONICS  
AMERICA, INC.,**

**Defendants.**

Civil Action No. 2:17-cv-671-JRG

**JURY TRIAL DEMANDED**

**DEFENDANTS' NOTICE REGARDING DECISION IN RELATED ITC  
INVESTIGATION AND INITIATION OF ARBITRATION**

Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, "Samsung") file this notice to inform the Court of recent activity in related matters involving the same parties that is relevant to Samsung's Motion to Stay Pending Arbitration, which is pending before this Court (D.I. 50).

First, on May 22, 2018, in a U.S. International Trade Commission ("ITC") investigation involving the same parties, the Administrative Law Judge ("ALJ") granted Samsung's Motion to Terminate the Investigation for Lack of Standing or to Terminate or Stay the Investigation Pending Arbitration. *See Wafer-Level Packaging Semiconductor Devices and Products Containing Same (Including Cellular Phones, Tablets, Laptops, and Notebooks) and Components Thereof*, Inv. No. 337-TA-1080, Order No. 26 (May 22, 2018).<sup>1</sup> In the confidential Initial Determination, the ALJ

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<sup>1</sup> The ALJ initially issued an ID granting Samsung's motion on May 18, 2018 (Order No. 24) but withdrew it to make certain small changes (Order No. 25). Samsung previously informed the Court of the overlapping subject-matter in the ITC investigation and the motion pending in this case. *See, e.g.*, D.I. 50 at 3-4 (noting co-pending ITC and overlapping defenses).

terminated the ITC investigation in its entirety in favor of arbitration based on the same Samsung-MEI Settlement and Patent Cross License Agreement (and the same arbitration clause) at issue in Samsung's motion in this case (D.I. 50). Samsung will provide the Court with a public version of the Initial Determination when it issues in the coming weeks.

Second, on May 18, 2018, Samsung submitted a Request for Arbitration ("Request") to the International Chamber of Commerce ("ICC") against Plaintiff Tessera Advanced Technologies, Inc., Panasonic Corporation (formerly known as Matsushita Electric industrial Co., Ltd.), and Pannova Semic, LLC. The Request is based on Samsung's rights under the Samsung-MEI Settlement and Patent Cross License Agreement (including Samsung's patent licenses and right to arbitrate under that agreement) that also are at issue in Samsung's motion pending in this case (D.I. 50). On May 22, 2018, the Secretariat of the International Court of Arbitration of the ICC acknowledged receipt of the Request and indicated that pursuant to ICC Rules, the arbitration commenced on the Request date, May 18, 2018.

Dated: May 23, 2018

Respectfully submitted,

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Samsung Electronics America, Inc.***

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that counsel of record who are deemed to have consented to electronic services are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on May 23, 2018.

/s/ Melissa R. Smith  
Melissa R. Smith